



Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition

Mexico: draft resolution

Illicit manufacturing of and trafficking in firearms, their parts and components and ammunition

The Conference of the Parties to the United Nations Convention against Transnational Organized Crime,

Recalling the functions assigned to it in article 32 of the United Nations Convention against Transnational Organized Crime,¹ reaffirming its decision 4/6 of 17 October 2008 and concerned by the increased levels of harm and violence that transnational criminal organizations generate in some regions of the world as a result of the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

Reaffirming resolution 5/4 of 22 October 2010, in which the Conference requested States to consider the adoption or strengthening of comprehensive and efficient measures to counter the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, to consider ways to strengthen the collection and sharing of information in order to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, to strengthen their mechanisms and strategies for border control in order to prevent illicit trafficking in firearms, and to afford each other the broadest possible bilateral, regional and international cooperation so as to facilitate the tracing of firearms and the investigation and prosecution of firearms-related offences,

* CTOC/COP/2012/1.

¹ United Nations, *Treaty Series*, vol. 2225, No. 39574.



Noting that reducing the illicit manufacturing of and trafficking in firearms is one of the major components of the efforts to reduce the violence that accompanies the activities of transnational organized criminal groups,

Expressing its conviction that there is an urgent need to strengthen international cooperation to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

Recalling that the Organized Crime Convention and, in particular, the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,² are among the principal global legal instruments to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

Noting the common themes and nature of other instruments with respect to the Organized Crime Convention and its Firearms Protocol, such as the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects³ and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,⁴ as well as regional legal instruments,

Taking note of the outcome document of the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 27 August to 7 September 2012, in which, inter alia, States that had not yet done so were encouraged to consider ratifying or acceding to the Organized Crime Convention and, in particular, the Firearms Protocol and to strengthen, where appropriate, the links between the Protocol and other legal instruments relating to efforts to implement the International Tracing Instrument at the national, regional and global levels,

Reaffirming that one of the primary purposes of the Conference is to improve the capacity of States parties to the Firearms Protocol to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and that the Conference should spearhead international efforts in that regard,

1. *Expresses its appreciation for* the work of the open-ended intergovernmental working group on firearms at its meeting held in Vienna on 21 and 22 May 2012 and endorses the recommendations contained in its report;⁵

2. *Invites* States that have not yet done so to consider becoming parties to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations

² United Nations, *Treaty Series*, vol. 2326, No. 39574.

³ *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001 (A/CONF.192/15)*, chap. IV, para. 24.

⁴ A/60/88 and Corr.2, annex; see also General Assembly decision 60/519.

⁵ CTOC/COP/2012/6.

Convention against Transnational Organized Crime⁶ and to fully implement its provisions;

3. *Urges* States parties to the Firearms Protocol to harmonize their national legislation in a manner consistent with the Protocol, develop programmes of action to implement the Protocol, provide to the Secretariat full and up-to-date information on their national body or single point of contact and make use of the online directory of competent national authorities designated by States under the Firearms Protocol;

4. *Requests* the United Nations Office on Drugs and Crime to continue developing technical assistance tools, in close consultation with States parties to the Firearms Protocol, in order to support the implementation of the Protocol and to continue facilitating, whenever possible, technical assistance to States parties experiencing difficulties in the implementation of the Firearms Protocol in the areas of, inter alia, record-keeping, marking, deactivation and destruction of firearms, the identification of competent national authorities and the identification and tracing of illicit firearms, their parts and components and ammunition, the development of regional and international databases on seizures and confiscations and the promotion of inter-agency and international cooperation;

5. *Also requests* the United Nations Office on Drugs and Crime to complete the study of the transnational nature of and routes used in trafficking firearms, based on the analysis of information provided by States on confiscated weapons and ammunition, for consideration by the Conference at its seventh session;

6. *Invites* States to use the Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition as a tool of technical assistance for the implementation of the Firearms Protocol and requests the United Nations Office on Drugs and Crime to disseminate the Model Law in the six official languages of the United Nations;

7. *Requests* the open-ended intergovernmental working group on firearms established under resolution 5/4 to continue advising and assisting the Conference in the implementation of its mandate with regard to the Firearms Protocol in accordance with that resolution, and invites the working group to consider practical proposals for implementing the recommendations formulated at its first meeting;

8. *Encourages* States to exchange, through the working group, opinions and comments concerning the Firearms Protocol, including those relating to factors that may impede its ratification and implementation, as well as its strong points, good practices and progress made with its application, with a view to achieving closer cooperation on preventing, combating and eradicating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

9. *Decides* that the working group shall hold at least one intersessional meeting, if possible within the framework of meetings of the Commission on Crime Prevention and Criminal Justice;

10. *Requests* the Secretariat to inform the working group about the activities of the United Nations Office on Drugs and Crime to assist the Conference in promoting and supporting the implementation of the Firearms Protocol,

⁶ United Nations, *Treaty Series*, vol. 2326, No. 39574.

coordination with other relevant international and regional organizations, best practices in the areas of training and capacity-building and awareness-raising strategies to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition;

11. *Also requests* the Secretariat to support the open-ended intergovernmental working group on firearms in the performance of its functions;

12. *Decides* that the chair of the open-ended intergovernmental working group on firearms shall submit to the Conference, at its seventh session, the report of the working group on its activities;

13. *Invites* States and other donors to provide extrabudgetary resources for those purposes in accordance with the rules and procedures of the United Nations.